

EXHIBIT 4

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

All Cases

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**Declaration of Jon Arends in Support of
the Pharmacy Defendants' Motion for Reconsideration**

I, Jon Arends, PharmD, make this declaration pursuant to 28 U.S.C. § 1746. I hereby state as follows:

1. I serve as Director, Pharmacy Systems for Walgreen Co. ("Walgreens"), headquartered in Deerfield, Illinois. I am also a pharmacist with clinical experience in local specialty pharmacy. I have worked at Walgreens in a variety of capacities for 14 years. I am familiar with the facts set forth herein, based on my discussions with members of my team and my knowledge of Walgreens' data and its systems. I respectfully submit this declaration in support of the *Pharmacy Defendants' Motion for Reconsideration*.
2. Walgreens currently operates 52 stores in Cuyahoga and Summit Counties. There are 9,277 Walgreens stores nationwide.
3. Since September 2016, Walgreens has filled more than 14.3 million prescriptions in Summit and Cuyahoga counties.

4. Since November 2008, which is as far back as Walgreens dispensing data is available, Walgreens has filled more than 8.4 billion prescriptions nationwide.

5. Without pulling that data, a process that (as noted below) would take several months to accomplish at a minimum, it is impossible to know its size.

6. Walgreens dispensing data includes private health information, including patient names and contact information (including full addresses); information about the prescription drugs patients have taken (including drug names, dosages, durations of treatment and frequency/number of refills); diagnostic information; information about the prescribing physician; and other highly sensitive information.

7. Walgreens is obligated by law to protect its patients' private health information, and we do so. We maintain our patients' private health information carefully, in compliance with all state and federal laws, so that it is not disclosed to anyone who should not have it. Any production of our patients' private health information would have to be done in a way that maintains the confidentiality of that information, in compliance with the law.

8. My team estimates that it would take roughly six to eight months to collect and produce nationwide dispensing data going back 11 years, the full period for which such data is available. That estimate is based principally on the time it would take to pull the data. The time to pull the data, in turn, is largely a function of computer processing time, driven by the large number of transactions and the list of fields that I understand have been requested. That processing time is limited each day by other daily demands on Walgreens' computer systems that must be met, e.g., compliance with regulatory obligations such as reporting to state prescription monitoring programs and ensuring the ability to serve patients at the pharmacy counter.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: December 18, 2019

s/ Jon Arends